

MAR 28 2007

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FAX COVER PAGE

DATE: March 28, 2007

PAGES INCLUDING THIS PAGE: 22

TO: United States Patent and Trademark Office
 COMPANY: Examiner Ann M. Schillinger
 Group Art Unit 3738

FAX NUMBER: 571-273-8300
 PHONE NUMBER:

FROM: Douglas A. Collier

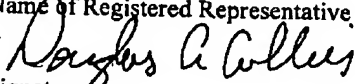
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RE: Response to Final Office Action for U.S. Patent Application No. 10/720,656 to George Frey, et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/720,656	
	Filing Date	November 24, 2003	
	First Named Inventor	George Frey, et al.	
	Art Unit	3738	
	Examiner Name	Ann M. Schillinger	
Total Number of Pages in This Submission	21	Attorney Docket Number	MSDI-247/PC845.00

ENCLOSURES (Check all that apply)												
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet										
Remarks												
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT <table border="1"> <tr> <td>Firm Name</td> <td>Krieg DeVault LLP</td> </tr> <tr> <td>Signature</td> <td><i>Douglas A. Collier</i></td> </tr> <tr> <td>Printed name</td> <td>Douglas A. Collier</td> </tr> <tr> <td>Date</td> <td>March 28, 2007</td> </tr> <tr> <td>Reg. No.</td> <td>43,556</td> </tr> </table>			Firm Name	Krieg DeVault LLP	Signature	<i>Douglas A. Collier</i>	Printed name	Douglas A. Collier	Date	March 28, 2007	Reg. No.	43,556
Firm Name	Krieg DeVault LLP											
Signature	<i>Douglas A. Collier</i>											
Printed name	Douglas A. Collier											
Date	March 28, 2007											
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Date	March 28, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
George Frey et al.)	Ann M. Schillinger
Serial No.: 10/720,656)	Group Art Unit:
Filed: November 24, 2003)	3738
)	Atty Docket No. MSDI-247/PC845.00
DISTRACTION AND RETRACTION)	March 28, 2007
SYSTEM FOR SPINAL SURGERY)	

RESPONSE TO FINAL OFFICE ACTION

Commissioner of Patents
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Sir:

In response to the Final Office Action mailed January 29, 2007, in the above application, please consider the following. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time that may be necessary and charge any fees that may be due to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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March 28, 2007
Date of Signature

Response to Final Office Action
USSN 10/720,656
Atty Docket No. MSDI-247/PC845.00
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